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State-Boston Retirement System and Norfolk County  
Retirement System*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

14 IN RE: LUMINENT MORTGAGE ) C 07-4073 PJH  
15 CAPITAL, INC., SECURITIES LITIGATION )  
16 JOSEPH LEONE, Individually and On )  
Behalf of All Others Similarly Situated, )  
17 )  
Plaintiff, ) Civil Action No.: 3:07-CV-04073-PJH  
18 )  
vs. ) CLASS ACTION  
19 )  
S. TREZEVANT MOORE, JR., ) Honorable Phyllis J. Hamilton  
CHRISTOPHER J. ZYDA, ELEANOR )  
CORNFELD MELTON, RONALD VIERA, )  
DIMITRIOS PAPATHEOHARIS, and ) Hearing  
LUMINENT MORTGAGE CAPITAL, ) Date: Nov. 21, 2007  
INC., ) Time: 9:00 a.m.  
Courtroom: 3  
23 )  
Defendants. )  
24 )

25 || (Additional Captions on the Following Page)

**NOTICE OF WITHDRAWAL AND REFILING OF MOTION OF STATE-BOSTON  
RETIREMENT SYSTEM AND NORFOLK COUNTY RETIREMENT SYSTEM FOR  
CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFF, AND APPROVAL OF  
SELECTION OF LEAD COUNSEL (Docket #37)**

1	ROSENBAUM CAPITAL LLC,	)	
2	Individually and On Behalf of All Others	)	
	Similarly Situated,	)	
3		)	Civil Action No.: 3:07-CV-04096-PJH
	Plaintiff,	)	
4	vs.	)	<u>CLASS ACTION</u>
5		)	
		)	Honorable Phyllis J. Hamilton
6	LUMINENT MORTGAGE CAPITAL,	)	
7	INC., GAIL P. SENECA, SEWELL	)	
	TREZEVANT MOORE, JR., and	)	
	CHRISTOPHER ZYDA,	)	
8		)	Date: Nov. 21, 2007
	Defendants.	)	Time: 9:00 a.m.
		)	Courtroom: 3
9		)	
10		)	
11	HOWARD J. KAPLOWITZ IRA,	)	
12	Individually and On Behalf of All Others	)	
	Similarly Situated,	)	
13		)	Civil Action No.: 3:07-CV-04140-PJH
	Plaintiff,	)	
14	vs.	)	<u>CLASS ACTION</u>
15		)	
		)	Honorable Phyllis J. Hamilton
16	LUMINENT MORTGAGE CAPITAL,	)	
17	INC., S. TREZEVANT MOORE, JR., and	)	
	CHRISTOPHER J. ZYDA,	)	
18		)	Date: Nov. 21, 2007
	Defendants.	)	Time: 9:00 a.m.
		)	Courtroom: 3
19		)	
20	ELLIOT GREENBERG, Individually and	)	
21	On Behalf of All Others Similarly Situated,	)	
		)	
22		)	
	Plaintiff,	)	Civil Action No.: 3:07-CV-04141-PGH
23	vs.	)	
24		)	<u>CLASS ACTION</u>
25		)	
		)	Honorable Phyllis J. Hamilton
26	LUMINENT MORTGAGE CAPITAL,	)	
27	INC., GAIL P. SENECA, SEWELL	)	
	TREZEVANT MOORE, JR., and	)	
	CHRISTOPHER J. ZYDA,	)	
28		)	Date: Nov. 21, 2007
	Defendants.	)	Time: 9:00 a.m.
		)	Courtroom: 3

1 PEM RESOURCES LP, Individually and On )  
2 Behalf of All Others Similarly Situated, )  
3 Plaintiff, ) Civil Action No.: 3:07-CV-04184-PJH  
4 vs. ) CLASS ACTION  
5 LUMINENT MORTGAGE CAPITAL, ) Honorable Phyllis J. Hamilton  
6 INC., GAIL P. SENECA, SEWELL ) Hearing  
7 TREZEVANT MOORE, JR., and ) Date: Nov. 21, 2007  
8 CHRISTOPHER J. ZYDA ) Time: 9:00 a.m.  
9 Defendants. ) Courtroom: 3  
10 )  
11 ALLEN M. METZGER, Individually and )  
12 On Behalf of All Others Similarly Situated, )  
13 Plaintiff, ) Civil Action No.: 3:07-CV-04686-PJH  
14 vs. ) CLASS ACTION  
15 LUMINENT MORTGAGE CAPITAL, ) Honorable Phyllis J. Hamilton  
16 INC., GAIL P. SENECA, SEWELL ) Hearing  
17 TREZEVANT MOORE, JR., and ) Date: Nov. 21, 2007  
18 CHRISTOPHER J. ZYDA ) Time: 9:00 a.m.  
19 Defendants. ) Courtroom: 3  
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1                   **TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

2                   Pursuant to the Court's October 10, 2007 Order Consolidating Cases, Plaintiffs State-  
 3                   Boston Retirement System and the Norfolk County Retirement System ("Boston and Norfolk")  
 4                   hereby withdraw their Motion for Consolidation, Appointment as Lead Plaintiff, and Approval of  
 5                   Selection of Lead Counsel, filed on October 9, 2007, in the above-referenced actions (PACER  
 6                   docket #37.)

7                   Plaintiffs Boston and Norfolk also give notice that they will concurrently re-file their  
 8                   Motion in: In Re Luminent Mortgage Capital, Inc., Securities Litigation, Case No. C 07-4073  
 9                   PJH.

10                  Dated: October 17, 2007

11                  Respectfully submitted,

12                  By: /s/ Mark Labaton  
 13                   Mark Labaton (#159555)  
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26                  *Attorneys for State-Boston Retirement System and  
 27                   Norfolk County Retirement System and Proposed  
 28                   Lead Counsel for the Class*